

PROB 12C  
(7/93)

Report Date: January 23, 2012

**United States District Court**

for the

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 23 2012

JAMES R. LARSEN, CLERK  
DEPUTY  
MARIA WASHINGTON

Name of Offender: Sergio Nain Briones-Alvarez Case Number: 2:10CR02085-001  
 Address of Offender: Incarcerated at Metropolitan Correctional Center, San Diego, California  
 Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge  
 Date of Original Sentence: 09/23/2010  
 Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(b)(2)  
 Original Sentence: Prison - 8 Months; TSR - 36 Months Type of Supervision: Supervised Release  
 Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: 03/08/2011  
 Defense Attorney: To Be Determined Date Supervision Expires: 03/07/2014

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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|---|--|
| 1 | <b><u>Special Condition #14:</u></b> You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry. |
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**Supporting Evidence:** The defendant illegally reentered the United States without permission on or about January 10, 2012.

Information received from the United States Immigration and Customs Enforcement, indicates the defendant was deported to Mexico on March 16, 2011, and most recently on July 17, 2011, at San Luis, Arizona, and has not obtained legal permission to reenter the United States.

- |   |  |
|---|--|
| 2 | <b><u>Mandatory Condition #2:</u></b> The defendant shall not commit another Federal, state, or local crime. |
|---|--|

**Supporting Evidence:** On January 12, 2012, a criminal complaint was filed with the United States District Court in the Southern District of California, charging the defendant with Alien in the United States After Deportation, in violation of 8 U.S.C. § 1326, docket number 3:12M00113-001.

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According to the criminal complaint, on January 10, 2012, a border patrol agent responded to an activation of a seismic intrusion device and discovered several shoe prints across a dirt road located near the United States/Mexico international border. The agent followed the shoe prints for approximately 30 minutes and encountered three individuals, one later identified as the defendant, attempting to conceal themselves in the brush. Upon questioning the individuals, they admitted to being citizens of Mexico and crossing the United States/Mexico border illegally. They were all placed into custody.

On January 12, 2012, the defendant made his initial appearance before the Court in the Southern District of California. Bond was set at \$20,000, and the defendant was detained until his next hearing scheduled for January 26, 2012. The Southern District of California has declined a transfer of jurisdiction in this case.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 23, 2012

s/Jose Vargas

Jose Vargas  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

1/23/12  
Date